



STALLMAN & POLLOCK LLP
121 Spear Street, Suite 290
San Francisco, CA 94105
(415) 512-1312

In re Patent Application of: James Patterson et al.

Atty Docket No. SCHb-2700

Application No.: 09/654,627

Filed: September 5, 2000

For: SYSTEM AND METHOD FOR TAX SENSITIVE PORTFOLIO OPTIMIZATION

M/S RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmittal herewith is an amendment in the above-identified application.

The fee has been calculated as shown below.

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE
TOTAL	1	MINUS	26	0	x \$18 =	\$0
INDEP.	1	MINUS	5	0	x \$86 =	\$0
FIRST PRESENTATION OF MULTIPLE DEP CLAIMS						+ \$290
						TOTAL \$0

RECEIVED
FEB 10 2004
GROUP 3600

Small Entity 50% Filing Fee Reduction (if applicable) \$0

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3
- ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
- *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest Number Previously Paid For" (Total or Independent is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.)

1. Attached for filing in the above-referenced case a Request for Continued Examination (RCE).
2. Applicant(s) hereby petition(s) for a one-month extension of time in which to file the present response and enclose(s) herewith the necessary fee to accompany this petition. A check in the amount of \$880.00 is attached to cover: 1) \$110.00 for a one-month extension of time; and 2) \$770.00 for the Request for Continued Examination (RCE) filing fee.
3. Please charge any additional fees, including any fees necessary for extensions of time or credit overpayment to Deposit Account No. 50-1703, under Order No. SCHB-2700.
A duplicate copy of this sheet is enclosed.

STALLMAN & POLLOCK LLP

Dated: February 2, 2004

By:

Brian J. Keating (Reg. No. 39,520)
Attorneys for Applicant(s)

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 February 2, 2004.

Dated: February 2, 2004

By:

Georgia K. Stith



-1-

PATENT

FILE COPY

Receipt
3/26/04
#17

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

James Peterson et al.

Application No.: 09/654,627

Filed: September 5, 2000

For: SYSTEM AND METHOD FOR TAX
SENSITIVE PORTFOLIO OPTIMIZATION

Group No.: 3624

Examiner: S. Shih

RESCISSON OF PREVIOUS
NONPUBLICATION REQUEST
(35 U.S.C. 122(b)(2)(B)(i))
AND, IF APPLICABLE,
NOTICE OF FOREIGN FILING
(35 U.S.C. 122(b)(2)(B)(iii))

121 Spear Street, Suite 290
San Francisco, CA 94105
Telephone: (415) 512-1312
Fax: (415) 512-1362

FAX: (703) 305-8568

M/S PG PUB
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

A request that the above-identified application not be published under 35 U.S.C. 122(b) (nonpublication request) was included with the above-identified application on filing pursuant to 35 U.S.C. 122(b)(2)(B)(i). I hereby rescind the previous nonpublication request.

If a notice of foreign or international filing is or will be required by 35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c), I hereby provide such notice. This notice is being provided no later than forty-five (45) days after the date of such foreign or international filing.

If a notice of subsequent foreign or international filing required by 35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c) was not filed within forty-five (45) days after the date of filing of the foreign or international application, the application is ABANDONED, and a petition to revive under 37 CFR 1.137(b) is required. See 37 CFR 1.137(f).

Respectfully submitted,

STALLMAN & POLLOCK LLP

By:

Brian J. Keating (Reg. No. 39,520)

Date: February 2, 2004

Attorneys for Applicant(s)

Atty Docket No.: SCHB-2700

FILE COPY**UNITED STATES PATENT AND TRADEMARK OFFICE**

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO/TITLE
09/654,627	09/05/2000	James Peterson	SCHW-600

CONFIRMATION NO. 7348

OC000000012006277

STALLMAN & POLLOCK LLP
 ATTN: BRIAN J. KEATING
 121 SPEAR STREET
 SUITE 290
 SAN FRANCISCO, CA 94105

Date Mailed: 03/02/2004

RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT**Publication and General Rules Issues**

In response to your request for a corrected Filing Receipt, the Office is unable to comply with the request because:

- The articles such as "a", "an", and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new", "improved", "improvement of", "improvement in", or "improvement relating to" are not included as the first words in the title of an application because a patent application is, by nature, a new idea or improvement. See MPEP 606.
- The title appears on the filing receipt in sentence case for publication in the Annual Index of Patents.
- Amendments are not accepted in provisional applications. See 37 CFR 1.53(c).
- An amendment or Application Data Sheet is needed to make this change.
- The inventor's residence will only include the city and state for U.S. residences or city and country for residences outside the U.S. (See MPEP 605.02.)
- Continuity claimed under 35 USC 120 cannot be added to the Filing Receipt without the applicant supplying the relationship (continuation, divisional, or continuation-in-part) in an Application Data Sheet or amendment to the first page of the specification.
- Small entity status was previously claimed in this application. To notify the Office of a loss of entitlement to small entity status, see 37 CFR 1.27(g). To have a good faith error in claiming small entity status excused, see 37 CFR 1.28(c).

- The request for non-publication was not timely filed. A request for non-publication must be submitted upon filing of an application. The application is scheduled to be published on the date specified on the filing receipt. See 37 CFR 1.213(a)(1)
- The request for non-publication has not been recognized because it is not conspicuous as required by 37 CFR 1.213(a)(2)
- The request for non-publication has not been recognized because it does not contain the certification as required by 37 CFR 1.213(a)(3).
- The request for non-publication has not been recognized because it is not signed in compliance with 37 CFR 1.33(b) as required by 37 CFR 1.213(a)(4).
- There was no prior request for non-publication in this application. The request to rescind the non-publication request will not be processed.
- Your request for non-publication will not be acknowledged because this application is not eligible for publication. Only utility and plant applications filed on or after November 29, 2000 are eligible for publication.
- The "Non-Publication Request" indicator is correct. If there was a proper request submitted at the time of filing, the notation on the filing receipt will be "Yes". If no such request was made, the notation will be "No".
- Assignment information will only be included for applications that are eligible for publication.

Errol M.
Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 3 - OFFICE COPY